

FEDERAL REGISTER

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1934

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Washington, Tuesday, January 5, 1954

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter III—Foreign and Territorial Compensation

Subchapter B—The Secretary of State
[Dept. Reg. 108.207]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

DESIGNATION OF DIFFERENTIAL POSTS

Section 325.11 *Designation of differential posts* is amended as follows, effective on the dates indicated:

1. Effective as of the beginning of the first pay period following January 2, 1954, paragraph (b) is amended by the deletion of the following posts:

India, all posts except Bangalore, Bhopal, Bokaro, Bombay, Cuddalore, Cuttack, Gwalior, Hiraikut Dam, Hyderabad, Izatnagar, Kharagpur, Lucknow, Madras, Nabha, Nagpur, New Delhi, Nilokheri, Patiala, Patna, Poona, Simla and Trivandrum.

2. Effective as of the beginning of the first pay period following January 2, 1954, paragraph (d) is amended by the deletion of the following posts:

Seaborne Radio Bases.

3. Effective as of the beginning of the first pay period following November 22, 1952, paragraph (a) is amended by the addition of the following post:

Lolkaw, Burma.

4. Effective as of the beginning of the first pay period following December 20, 1952, paragraph (a) is amended by the addition of the following post:

Myitkyina, Burma.

5. Effective as of the beginning of the first pay period following August 18, 1951, paragraph (a) is amended by the addition of the following post:

Taunggyi, Burma.

6. Effective as of the beginning of the first pay period following December 19, 1953, paragraph (a) is amended by the addition of the following posts:

Portoviejo, Ecuador.
Quevedo, Ecuador.

7. Effective as of the beginning of the first pay period following January 2, 1954, paragraph (a) is amended by the addition of the following post:

Hazariabagh, India.

8. Effective as of the beginning of the first pay period following January 2, 1954, paragraph (b) is amended by the addition of the following posts:

India, all posts except Bangalore, Bhopal, Bokaro, Bombay, Cuddalore, Cuttack, Gwalior, Hazariabagh, Hiraikut Dam, Hyderabad, Izatnagar, Kharagpur, Lucknow, Madras, Nabha, Nagpur, New Delhi, Nilokheri, Patiala, Patna, Poona, Simla and Trivandrum.

9. Effective as of the beginning of the first pay period following January 2, 1954, paragraph (d) is amended by the addition of the following post:

Chillan, Chile.

For the Secretary of State.

DONALD B. LOURIE,
Under Secretary for Administration.

DECEMBER 23, 1953.

[F. R. Doc. 54-27; Filed, Jan. 4, 1954;
8:50 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

Subchapter B—Federal Farm Loan System

PART 10—FEDERAL LAND BANKS GENERALLY FUTURE PAYMENT FUNDS

Part 10 of Title 6 of the Code of Federal Regulations (18 F. R. 4778) is hereby amended to include a new § 10.131a, as follows:

§ 10.131a *Future Payment Funds (effective January 1, 1954)*. Future payment funds accepted prior to January 1, 1954, for subsequent credit upon indebtedness to the bank or the Corporation, shall continue to be held subject to the provisions of §§ 10.116 to 10.131, inclusive, and such terms and conditions as were agreed upon at the time of their acceptance. No future payment funds shall be accepted on or after January 1,

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

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1954, for subsequent credit upon indebtedness to the Corporation. Future payment funds accepted on or after January 1, 1954, for subsequent credit upon indebtedness to the bank, shall be subject to such terms and conditions as may be agreed upon with the borrower at the time of their acceptance. The agreement with the borrower shall specify the rate of interest to be allowed on such funds, which rate may be as allowed on funds accepted before 1954 or as determined by the board of directors of the bank, and such agreement shall include and be consistent with the terms and conditions prescribed by statute for such funds (12 U. S. C. 781 Eighteenth). A bank may also deem it advisable to include terms and conditions similar to those contained in § 10.124 (c) and (d), as well as an express statement that future payment funds are not subject to withdrawal. The form of such agreement, its conformity with the terms and conditions prescribed by statute, and the procedure for making it effective with the borrower, shall have the approval of the district general counsel.

(Sec. 13, 39 Stat. 372, as amended, 12 U. S. C. 781 Eighteenth)

[SEAL] CARL COLVIN,
Acting Director,
Land Bank Service.

[F. R. Doc. 54-29; Filed, Jan. 4, 1954; 8:51 a. m.]

TITLE 7—AGRICULTURE

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PART 959—IRISH POTATOES GROWN IN THE COUNTIES OF CROOK, DESCHUTES, JEFFERSON, KLAMATH, AND LAKE IN OREGON, AND MODOC AND SISKIYOU IN CALIFORNIA	48

LIMITATIONS OF SHIPMENTS

§ 959.310 *Limitation of shipments—*
(a) *Findings.* (1) Pursuant to Marketing Agreement No. 114 and Order No. 59, as amended (7 CFR Part 959) regulating the handling of Irish potatoes grown in the counties of Crook, Deschutes, Jefferson, Klamath, and Lake in the State of Oregon, and Modoc and Siskiyou in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Oregon-California Potato Committee, established pursuant to said marketing agreement and amended order, and upon other available information, it is hereby found that the limitation of shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.
(2) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U. S. C. 1001 et

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seq.) in that (i) the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, (ii) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the shipment of potatoes, in the manner set forth below, on and after the effective date of this section, (iii) compliance with this section will not require any preparation on the part of handlers which cannot be completed by the effective date, and (iv) information regarding the committee's recommendations has been made available to producers and handlers in the production area.

(b) *Order* (1) During the period January 6, 1954 to June 30, 1954, both dates inclusive, no handler shall ship any potatoes unless such potatoes meet the requirements of the U. S. No. 2 grade, and are of a size not smaller than 8 ounces minimum weight: *Provided*, That any such potatoes meeting the requirements of the U. S. No. 1 grade may be shipped if the potatoes are of a size smaller than 8 ounces minimum weight but not smaller than 2 inches minimum diameter or 4 ounces minimum weight: *And provided further* That potatoes may be shipped for dehydration, or manufacture or conversion into starch, flour, or alcohol if such potatoes meet the requirements of the U. S. No. 2 grade and are at least 2 inches minimum diameter or 4 ounces minimum weight.

(2) Pursuant to § 959.54, each handler may ship not in excess of five hundredweight per week without regard to the limitations set forth in subparagraph (1) of this paragraph and §§ 959.41 and 959.60.

(3) The limitations set forth in subparagraph (1) of this paragraph shall not be applicable to shipments of potatoes for the following purposes: (i) Grading or storing in the production area, (ii) seed, (iii) canning or freezing, (iv) charity, and (v) livestock feed within the production area.

(4) Each handler making shipments of potatoes for dehydration, or manufacture or conversion into starch, flour, or alcohol pursuant to subparagraph (1) of this paragraph and shipments of potatoes pursuant to subparagraph (3) of this paragraph shall (except for shipments of potatoes for grading or storing in the production area, and shipments of potatoes for livestock feed within the production area) (i) file an application with the committee pursuant to § 959.130 for permission to make such shipments, (ii) pay assessments on such shipments pursuant to § 959.41, and (iii) have such shipments (except shipments of seed potatoes) inspected pursuant to § 959.60, and for each shipment of potatoes for dehydration, or manufacture or conversion into starch, flour, or alcohol made pursuant to subparagraph (1) of this paragraph and for each shipment of potatoes made pursuant to subdivisions

(iii) and (iv) of subparagraph (3) of this paragraph shall furnish a record of shipment applicable thereto to the committee: *Provided*, That each application to ship potatoes for dehydration, or manufacture or conversion into starch, flour, or alcohol pursuant to subparagraph (1) of this paragraph and to ship potatoes pursuant to subdivisions (iii) and (iv) of subparagraph (3) of this paragraph shall be accompanied by the applicant handler's certification and the buyer's certification that the potatoes to be shipped are to be used for the purpose stated in the application: *And provided further* That each handler agrees in his application to furnish a copy of the bill of lading on each such shipment and to bill each such shipment directly to the applicable processor.

(5) The terms used in this section shall have the same meaning as when used in Marketing Agreement No. 114 and Order No. 59, as amended, and the aforementioned grades and sizes shall have the same meaning assigned those terms in the U. S. Standards for Potatoes (§§ 51.1540-51.1559 of this title), including the tolerances set forth therein.

(6) The provisions of § 959.309, *Limitation of Shipments*, effective September 7, 1953 (18 F. R. 5163) as from time to time amended, are hereby terminated as of the effective date of this paragraph (b).

The regulation limiting shipments of potatoes, pursuant to the amended marketing agreement and order, that was issued on August 26, 1953 (18 F. R. 5163), effective on September 7, 1953, has since had four amendments. In order to facilitate references to the respective amendments and to prescribe a modification of the terms thereof, § 959.309 is being terminated and superseded by this section.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 31st day of December 1953, to become effective January 6, 1954.

[SEAL]

S. R. SMITH,
Director,

Fruit and Vegetable Branch.

[F. R. Doc. 54-73; Filed, Jan. 4, 1954; 10:44 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 231—LISTS OF 'ALIENS AND CITIZEN PASSENGERS ARRIVING OR DEPARTING

DESIGNATION OF PORTS OF ENTRY

Correction

In F. R. Doc. 53-10038, appearing at page 7625 of the issue for Tuesday, December 1, 1953, the words "Class G ports" in item a. 1. should read "Class C ports".

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 103.203]

PART 41—VISAS: DOCUMENTATION OF NONIMMIGRANT ALIENS UNDER THE IMMIGRATION AND NATIONALITY ACT

VALIDITY OF NONIMMIGRANT VISA

The following amendment to Part 41, Chapter I, Title 22 of the Code of Federal Regulations, is hereby prescribed:

Paragraph (c) of § 41.15 *Validity of nonimmigrant visa* is amended to read as follows:

(c) A nonimmigrant visa may, in consideration of reciprocal treatment accorded nationals of the United States within a similar class by the government of the country of which the alien is a national, or in consideration of the alien's purpose in traveling to, or through, the United States, or for other valid reasons, be issued valid for (1) a period of validity which is less than the time specified in paragraph (b) of this section, (2) a limited number of applications for admission within the period of the validity of the visa, or (3) application for admission at a specified port or specified ports of entry in the United States.

(Sec. 104, 60 Stat. 174; 8 U. S. C. 1104)

The regulation contained in this order shall become effective upon publication in the FEDERAL REGISTER. The provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) relative to notice of proposed rule making and delayed effective date are inapplicable to this order because the regulation contained therein involves foreign affairs functions of the United States.

Dated: December 24, 1953.

SCOTT McLEOD,
Administrator, Bureau of Security, Consular Affairs, and Personnel.

[F. R. Doc. 54-23; Filed, Jan. 4, 1954; 8:50 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

Subchapter B—Export Regulations

[6th Gen. Revision of Export Regs., Amdt. P. L. 65]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

1. The following commodities are added to the Positive List. These commodities were formerly licensed by the Department of State. All outstanding licenses for these commodities issued by the Department of State prior to January 1, 1954, remain valid until they expire or are revoked.

RULES AND REGULATIONS

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar-value limits	Vald.-dated license required
701113	Special-purpose vehicles, n. e. c.: Amphibian combat vehicles or carriers, n. e. c. (new), single rear axle drive, except armored vehicles or carriers.	No.	TRAN	None	R
701113	Amphibian combat vehicles or carriers, n. e. c. (new), front and rear axle drive or multiple rear axle drive, except armored vehicles or carriers. ¹	No.	TRAN	None	RO
900238	High speed cameras, capable of recording at rates in excess of 250 frames per second.	No.	FILM	None	RO
900600	Parts, n. e. c., special fabricated for high speed cameras capable of recording at rates in excess of 250 frames per second.	-----	FILM	25	RO
916029	Photo-theodolites, and specially fabricated parts, n. e. c.	-----	SATE	25	RO
919010	Radiosondes.	No.	SATE	None	R

¹ These commodities are subject to the IC/DV requirements (see § 373.2).

2. The revised entries set forth below are substituted for entries presently on the Positive List. Where the Positive List contains more than one entry under a single Schedule B number, the entry to be superseded is identified by a numerical reference enclosed in parentheses following the commodity description in the revised entry.

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar-value limits	Vald.-dated license required
707815	Radio and television apparatus: Television picture receiving tubes (cathode ray) (specify by type number). ¹	No.	RARA 51	100	R
707820	Cathode-ray tubes, n. e. c. (formerly 709903) (report television cathode-ray tubes in 707812 and 707815). ²	No.	RARA 51	25	RO
708410	Doppler equipment, and specially fabricated parts, n. e. c. (4). ³	-----	RARA	None	RO
708460	Carrier current equipment (high frequency wire transmitting and receiving apparatus), n. e. c., and specially fabricated parts, n. e. c. (includes telemetering equipment). ⁴	-----	RARA 50	None	R
919080	Research laboratory apparatus and equipment, n. e. c., and specially fabricated parts, n. e. c.: Supersonic generators for operation at 17,000 cycles per second or over (15). ⁵	No.	SATE	None	RO
919080	Parts, n. e. c., specially fabricated for supersonic generators for operation at 17,000 cycles per second or over (16). ⁶	-----	SATE	25	RO

¹ The letter "A" is deleted in the column headed "Commodity Lists," indicating that the commodity is no longer subject to the IC/DV procedure. (See § 373.2.)

² All cathode-ray tubes, some of which were licensed by Department of State, are now licensed by Bureau of Foreign Commerce. All outstanding licenses for cathode-ray tubes issued by the Department of State prior to Jan. 1, 1954, remain valid until they expire or are revoked.

³ The Schedule B No. is changed.

⁴ Doppler equipment was licensed by the Department of State. Other electronic detection and navigational apparatus, some of which was licensed by Bureau of Foreign Commerce, is now licensed by Department of State. All outstanding licenses issued by the Department of State or Bureau of Foreign Commerce prior to Jan. 1, 1954, remain valid until they expire or are revoked.

⁵ Telemetering equipment, formerly licensed by Department of State, is now licensed by Bureau of Foreign Commerce. All outstanding licenses for telemetering equipment issued by the Department of State prior to Jan. 1, 1954, remain valid until they expire or are revoked.

⁶ All supersonic generators and parts, some of which were licensed by Department of State, are now licensed by Bureau of Foreign Commerce. All outstanding licenses for supersonic generators and parts issued by the Department of State prior to Jan. 1, 1954, remain valid until they expire or are revoked.

This amendment shall become effective as of 12:01 a. m., January 1, 1954.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

KARL L. ANDERSON,
Acting Director

Bureau of Foreign Commerce.

[F. R. Doc. 53-10910; Filed, Dec. 31, 1953; 12:12 p. m.]

TITLE 45—PUBLIC WELFARE

Chapter V—War Claims Commission

Subchapter C—Appeals and Hearings

PART 515—APPEALS

MISCELLANEOUS AMENDMENTS

1. Section 515.2 (c) (1) which appeared at 18 F. R. 7794, December 3, 1953, is corrected as follows:

The reference in the last line of § 515.2 (c) (1) to § 515.22 should have read § 515.33.

2. Section 515.5 (c) is amended to read as follows:

§ 515.5 *Appeal proceedings in general.* * * *

(c) Findings and conclusions of the Commission upon a decision of the Council on Appeals. (See Subpart D of this part.)

3. Section 515.6 is amended to read as follows:

§ 515.6 *Council on Appeals.* (a) The Council on Appeals shall consist of three members.

(b) The Council on Appeals shall consider appeals within the War Claims Commission and shall render decisions on appeals. (See Subpart D of this part.) The Director, Appeals and Hearings Service, shall serve as Chairman of the Council on Appeals.

4. Section 515.30 is amended to read as follows:

§ 515.30 *Council on Appeals to render decisions on appeals.* (a) After a hearing upon an appeal has been held, the Council on Appeals shall, as soon as practicable after receipt of the transcript of the hearing, consider all evidence presented by the appellant in connection with an appeal and shall render a decision on the appeal. (Subject to § 515.31). (b) If no hearing is requested upon the appeal, the Council on Appeals, shall consider all additional evidence and shall render a decision on the appeal. (Subject to § 515.31)

5. Section 515.31 is amended to read as follows:

§ 515.31 *Decision of the Commission.* The decision of the Council on Appeals shall be the final action of the Commission, subject to the provisions of § 515.35; however, provided that in the case of appeals arising under section 7 (b) or (c) of the act, or where it is determined by the Council on Appeals that elements of Commission policy are involved, the decision shall be referred to the Commissioners and when approved by two Commissioners, shall become the final decision of the Commission.

(Sec. 2, 62 Stat. 1240; 50 U. S. C. App. 2001)

WHITNEY GILLILLAND,
Chairman,
War Claims Commission.

[F. R. Doc. 54-30; Filed, Jan. 4, 1954; 8:51 a. m.]

NOTICES

CIVIL AERONAUTICS BOARD

[Docket No. 2888 et al.]

SKYTRAIN AIRWAYS, INC., REOPENED LATIN AMERICAN AIR FREIGHT CASE

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the fitness, willingness, and ability of Skytrain Airways, Inc., properly to perform the air transportation encompassed within Docket No. 2888 and Docket No. 4473 and to conform to the provisions of the act and the rules, regulations, and requirements of the Board thereunder.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding is postponed from January 5, 1954, to February 16, 1954, at 10:00 a. m., e. s. t., in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Curtis C. Henderson.

Dated at Washington, D. C., December 30, 1953.

[SEAL] FRANCIS W. BROWN,
Chief Examiner

[F. R. Doc. 54-31; Filed, Jan. 4, 1954; 8:51 a. m.]

[Docket No. 6432]

NORTH CENTRAL AIRLINES, INC.

NOTICE OF POSTPONEMENT OF PREHEARING CONFERENCE

In the matter of an investigation instituted by the Board to determine whether the public convenience and necessity require that North Central's amended temporary certificate of public convenience and necessity for route No. 86, be altered, amended, or modified insofar as said certificate authorizes service by North Central over Segment 5 of said route.

Notice is hereby given that the prehearing conference in the above-entitled proceeding now assigned for January 12 is hereby postponed to January 15, 1954, at 10:00 a. m., e. s. t., in Room 5132, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Walter W. Bryan.

Dated at Washington, D. C., December 30, 1953.

[SEAL]

FRANCIS W. BROWN,
Chief Examiner

[F. R. Doc. 54-32; Filed, Jan. 4, 1954;
8:51 a. m.]

FEDERAL TRADE COMMISSION

[File No. 21-295]

FIRE EXTINGUISHING APPLIANCE INDUSTRY

NOTICE OF HOLDING OF TRADE PRACTICE CONFERENCE

Notice is hereby given that a trade practice conference for the Fire Extinguishing Appliance Industry will be held by the Federal Trade Commission in the Drake Hotel, Chicago, Illinois, on January 19, 1954, commencing at 10 a. m., c. s. t.

The purpose of the conference is to afford industry members an opportunity to consider and propose for establishment, subject to the Commission's approval, a comprehensive set of trade practice rules for the industry in substitution for those promulgated by the Commission on November 13, 1935. Copies of "suggested" rules, as prepared by a member of the Commission's staff and distributed to industry members for their consideration at the conference, are available upon request.

Products of the industry consist of appliances which are represented as being capable of extinguishing fires, with the exception of sprinkler systems and automotive fire apparatuses. All persons, firms, corporations and organizations engaged in the manufacture, sale, or distribution of such industry products are cordially invited to attend and participate in the conference proceedings.

Issued: December 29, 1953.

By direction of the Commission.

[SEAL]

ALEX. AKERMAN, JR.,
Secretary.

[F. R. Doc. 54-2; Filed, Jan. 4, 1954;
8:45 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1319]

ALGONQUIN GAS TRANSMISSION Co.

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

DECEMBER 29, 1953.

Notice is hereby given that on December 22, 1953, the Federal Power Commission issued its order adopted December 18, 1953, amending Opinion No. 259 and order of August 6, 1953 (18 F. R. 4896) issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-17; Filed, Jan. 4, 1954;
8:48 a. m.]

[Docket No. G-2031]

PUBLIC SERVICE ELECTRIC AND GAS Co.

NOTICE OF EXTENSION OF TIME

DECEMBER 28, 1953.

Upon consideration of the Petition of Public Service Electric and Gas Company filed December 17, 1953, for an extension of time for complying with paragraph (D) subparagraph (d) of the Commission's order issued October 6, 1952, in the above-designated matter;

Notice is hereby given that an extension of time is granted to and including March 15, 1954, within which Public Service Electric and Gas Company shall file a statement showing the actual cost of constructing said facilities by operating units, etc. Paragraph (D), subparagraph (d) of said order is amended accordingly.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-21; Filed, Jan. 4, 1954;
8:49 a. m.]

[Docket No. G-2055]

UNITED FUEL GAS Co.

NOTICE OF ORDER STAYING OPINION

DECEMBER 29, 1953.

Notice is hereby given that on December 22, 1953, the Federal Power Commission issued its order adopted December 18, 1953, in the above-entitled matter, staying Opinion No. 258-A and order of November 19, 1953 (18 F. R. 7572) pending further order of the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-18; Filed, Jan. 4, 1954;
8:48 a. m.]

[Docket Nos. G-2024, G-2097]

UNITED GAS PIPE LINE Co. AND MISSISSIPPI POWER FUEL CORP.

NOTICE OF OPINION NO. 265 AND ORDER

DECEMBER 29, 1953.

In the matter of United Gas Pipe Line Company, Docket No. G-2097; Missis-

issippi River Fuel Corporation, Complainant, v. United Gas Pipe Line Company, Defendant, Docket No. G-2024.

Notice is hereby given that on December 23, 1953, the Federal Power Commission issued its opinion and order adopted December 22, 1953, affirming the intermediate decisions and orders of the Presiding Examiner in the above-entitled matters.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-19; Filed, Jan. 4, 1954;
8:43 a. m.]

[Docket No. G-2173]

TEXAS EASTERN TRANSMISSION CORP.

ORDER FIXING DATE FOR HEARING

On May 19, 1953, Texas Eastern Transmission Corporation (Texas Eastern) a Delaware corporation with its principal office in Shreveport, Louisiana, filed an application with the Federal Power Commission, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity authorizing the construction and operation of approximately 4.5 miles of 6 $\frac{1}{2}$ -inch pipe line from a point at or near the Willow Springs Field in Gregg County, Texas, to a point of interconnection with Texas Eastern's existing 24-inch pipe line in Harrison County, Texas. The proposed facility is to be used for the transportation of natural gas to be purchased by Texas Eastern in the Willow Springs Field to augment its available gas reserves for service to existing markets. The application is on file and open to public inspection.

Temporary authorization for the construction and operation of the above-mentioned facility was granted on June 4, 1953.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure. Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on June 6, 1953 (18 F. R. 3181).

The Commission orders:

(1) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on January 18, 1954, at 9:30 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the application: *Provided, however,* That the Commission may after a noncontested hearing, forthwith dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(2) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: December 29, 1953.

Issued: December 29, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-26; Filed, Jan. 4, 1954;
8:50 a. m.]

[Docket No. G-2203]

SOUTHERN NATURAL GAS CO.

NOTICE OF FINAL DECISION

DECEMBER 28, 1953.

Notice is hereby given that the Presiding Examiner's Decision issuing a certificate of public convenience and necessity in the above-designated matter was issued and served upon all parties on November 25, 1953. No exceptions thereto having been filed or review initiated by the Commission, in conformity with the Commission's rules of practice and procedure said Decision became effective on December 28, 1953, as the final decision and order of the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-22; Filed, Jan. 4, 1954;
8:49 a. m.]

[Docket No. G-2204]

SOUTHERN NATURAL GAS CO.

NOTICE OF FINAL DECISION

DECEMBER 28, 1953.

Notice is hereby given that the Presiding Examiner's Decision issuing a certificate of public convenience and necessity in the above-designated matter was issued and served upon all parties on November 23, 1953. No exceptions thereto having been filed or review initiated by the Commission, in conformity with the Commission's rules of practice and procedure said Decision became effective on December 24, 1953, as the final decision and order of the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-23; Filed, Jan. 4, 1954;
8:49 a. m.]

[Docket No. G-2206]

EL PASO NATURAL GAS CO.

NOTICE OF EXTENSION OF TIME

DECEMBER 28, 1953.

Upon consideration of petition filed December 14, 1953, by El Paso Natural Gas Company for extension of time to commence construction of facilities authorized by the Commission's order issued September 18, 1953, in the above-entitled matter;

Notice is hereby given that an extension of time is granted to and including May 18, 1954, within which to commence the construction of the said facilities. Paragraph (C) (1) of said order is amended accordingly.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-24; Filed, Jan. 4, 1954;
8:49 a. m.]

[Docket Nos. G-2231, G-2232]

TOWN OF DEKALB, MISSISSIPPI, AND
MISSISSIPPI VALLEY GAS CO.

NOTICE OF FINDINGS AND ORDER

DECEMBER 29, 1953.

Notice is hereby given that on December 23, 1953, the Federal Power Commission issued its order adopted December 22, 1953, in the above-entitled matters, issuing a certificate of public convenience and necessity to Mississippi Valley Gas Company, Docket No. G-2232, and directing Southern Natural Gas Company to establish a physical connection of its facilities with those of the Town of DeKalb, Mississippi, Docket No. G-2231.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-20; Filed, Jan. 4, 1954;
8:49 a. m.]

[Docket No. G-2274]

UNITED FUEL GAS CO.

NOTICE OF EXTENSION OF TIME

DECEMBER 28, 1953.

Upon consideration of the Motion of United Fuel Gas Company filed December 23, 1953, for an extension of time for serving copies of its testimony and exhibits to be offered at the hearings in the above-designated matter as required by the Commission's order issued October 13, 1953;

Notice is hereby given that an extension of time is granted to and including January 18, 1954, within which United Fuel Gas Company shall serve upon all parties copies of its testimony and exhibits proposed to be offered at the hearings in this matter. Paragraph (C) of said order is amended accordingly.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-25; Filed, Jan. 4, 1954;
8:50 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28789]

SUPERPHOSPHATE FROM BREWSTER, FLA.,
GROUP TO SPECIFIED POINTS IN IOWA,
KANSAS, AND MISSOURI

APPLICATION FOR RELIEF

DECEMBER 30, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-

haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below. Commodities involved: Superphosphate (acid phosphate), carloads.

From: Brewster, Fla., and points grouped therewith.

To: Specified points in Iowa, Kansas and Missouri.

Grounds for relief: Rail competition, circuitry, to maintain grouping, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1286, supp. 22.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-9; Filed, Jan. 4, 1954;
8:47 a. m.]

[4th Sec. Application 28790]

PETROLEUM PRODUCTS IN KANSAS

APPLICATION FOR RELIEF

DECEMBER 30, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: W. J. Prueter, Agent, for carriers parties to schedule listed below.

Commodities involved: Petroleum and petroleum products, carloads.

From: Points in Kansas.

To: Leavenworth and Ft. Leavenworth, Kans.

Grounds for relief: Competition with rail carriers, circuitous routes, and to meet intrastate rates.

Schedules filed containing proposed rates: W. J. Prueter, Agent, I. C. C. No. A-3578, supp. 83.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the

application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-10; Filed, Jan. 4, 1954;
8:47 a. m.]

[4th Sec. Application 28791]

MINE RUN SALT FROM LOUISIANA TO
ANNISTON, ALA.

APPLICATION FOR RELIEF

DECEMBER 30, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedule listed below. Commodities involved: Salt, mine run, carloads.

From: Anse La Butte, Avery Island, Carla, Jefferson Island, Weeks and Winnfield, La.

To: Anniston, Ala.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3903, supp. 35.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-11; Filed, Jan. 4, 1954;
8:47 a. m.]

[4th Sec. Application 28792]

MINE RUN SALT FROM LOUISIANA TO
ANNISTON, ALA.

APPLICATION FOR RELIEF

DECEMBER 30, 1953.

The Commission is in receipt of the above-entitled and numbered applica-

tion for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedule listed below. Commodities involved: Salt, mine run, carloads.

From: Anse La Butte, Avery Island, Carla, Jefferson Island, Weeks and Winnfield, La.

To: Anniston, Ala.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3903, supp. 35.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-12; Filed, Jan. 4, 1954;
8:47 a. m.]

[4th Sec. Application 28793]

MINE RUN SALT FROM GRAND SALINE, TEX.,
TO ANNISTON, ALA.

APPLICATION FOR RELIEF

DECEMBER 30, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Salt, mine run, carloads.

From: Grand Saline, Texas.

To: Anniston, Ala.

Grounds for relief: Competition with rail carriers, circuitous routes and market competition.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3903, supp. 35.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investi-

gate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-13; Filed, Jan. 4, 1954;
8:47 a. m.]

[4th Sec. Application 28794]

SCRAP IRON FROM SOUTHERN TERRITORY
TO DAYTON AND SPRINGFIELD, OHIO

APPLICATION FOR RELIEF

DECEMBER 30, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Scrap iron or steel, carloads.

From: Points in southern territory.

To: Dayton and Springfield, Ohio.

Grounds for relief: Rail competition, circuitry, to apply rates constructed on the basis of the short line distance formula, and additional destinations.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1329, supp. 23.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-14; Filed, Jan. 4, 1954;
8:43 a. m.]

[4th Sec. Application 28795]

ASPHALT FROM WYOMING TO NEBRASKA AND
SOUTH DAKOTA

APPLICATION FOR RELIEF

DECEMBER 30, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul

provision of section 4 (1) of the Interstate Commerce Act.

Filed by: W. J. Prueter, Agent, for carriers parties to schedules listed below.

Commodities involved: Asphalt (asphaltum) carloads.

From: Producing points in Wyoming.
To: Points in Nebraska and South Dakota.

Grounds for relief: Rail competition, circuitry, to maintain grouping, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: Chicago & North Western Railway Company I. C. C. No. 11210, supp. 29; Chicago, Burlington & Quincy R. R. Co. I. C. C. No. 20366, supp. 24, Chicago, Burlington & Quincy Railroad Company, I. C. C. No. 20360, supp. 7; Union Pacific Railroad Company, I. C. C. No. 5356, supp. 7.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-15; Filed, Jan. 4, 1954;
8:48 a. m.]

[4th Sec. Application 28796]

IRON AND STEEL FROM CINCINNATI, OHIO,
TO MEMPHIS, TENN.

APPLICATION FOR RELIEF

DECEMBER 30, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The St. Louis-San Francisco Railway Company for itself and on behalf of carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1258, pursuant to fourth-section order No. 16101.

Commodities involved: Iron and steel articles, carloads.

From: Cincinnati, Ohio.

To: Memphis, Tenn.

Grounds for relief: Competition with rail carriers, circuitry, and operation through higher-rated territory.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by

the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-16; Filed, Jan. 4, 1954;
8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 31-561]

TENNESSEE NATURAL GAS LINES, INC.

ORDER GRANTING APPLICATION FOR
EXEMPTION

DECEMBER 28, 1953.

Tennessee Natural Gas Lines, Inc. ("Tennessee Lines") having filed an application and amendments thereto requesting an exemption from the provisions of the Public Utility Holding Company Act of 1935 ("act") for itself and its subsidiary, Nashville Gas Company, a gas public-utility company, and

Due notice of the filing of said application having been given and no hearing thereon having been ordered by or requested of the Commission, and the Commission having examined the application, the amendments thereto, and the statements contained therein, and having found that the applicable standards of section 3 (a) (1) of the act are satisfied, and deeming it appropriate in the public interest and the interest of investors and consumers to grant said application:

It is ordered, That the application, as amended, of Tennessee Lines be, and it hereby is, granted.

It is further ordered, That this order shall become effective upon its issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 54-5; Filed, Jan. 4, 1954;
8:45 a. m.]

[File No. 54-207]

AMERICAN POWER & LIGHT CO.

ORDER RELEASING JURISDICTION OVER AND
APPROVING FEES AND EXPENSES

DECEMBER 29, 1953.

The Commission, by order dated March 31, 1953, approved a plan for the dissolution of American Power & Light Company ("American"), a registered holding company, pursuant to section 11

(e) of the Public Utility Holding Company Act of 1935 ("act") and

Said order having reserved jurisdiction to pass upon the reasonableness of fees and expenses in connection with said plan; and

The record having been completed with respect to requests for fees and expenses which American is proposing to pay as follows:

Counsel fee of Reid & Priest, counsel for American.....	\$17,500.00
Expenses of Reid & Priest.....	560.67
Counsel fee of McLean, Southard & Hunt, local counsel for American.....	500.00
Expenses of local counsel.....	88.72
Appeal Printing Co., Inc., New York, printing of plan and amended plan, notices, and letters.....	1,804.17
Dispatch Press, Inc., New York, printing of notice of court hearing, letters, and forms.....	400.10
Berlin & Jones Co., New York, envelopes.....	54.75
Commerce Photo-Print Corp., New York, reproducing findings and opinion and order approving plan.....	68.01
Registrar & Transfer Co., New York, addressing, enclosing and mailing notices and letters.....	407.25
Postage for above.....	1,204.27
Albert Frank-Guenther Law, Inc., New York, publication of notice of court hearing on plan and publication of notice of date for filing claims, in five newspapers.....	1,484.01
Ace Reporting Co., Washington, D. C., stenographic transcript of hearing on plan.....	51.10
Traveling and incidental expenses of officers and others.....	447.91
Sundry expenses not separately classified in the company's accounts, estimated not to exceed.....	250.00
Total.....	25,010.92

The Commission having examined the record herein and finding that the fees and expenses, as proposed, are reasonable, and that it is appropriate to release jurisdiction with respect thereto:

It is hereby ordered, That the fees and expenses listed above are reasonable and may be paid by American and that the jurisdiction heretofore reserved with respect to fees and expenses, to the extent specified herein, be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 54-7; Filed, Jan. 4, 1954;
8:46 a. m.]

[File No. 70-3014]

JERSEY CENTRAL POWER & LIGHT CO. AND
GENERAL PUBLIC UTILITIES CORP.

SUPPLEMENTAL ORDER AUTHORIZING ISSUANCE AND SALE TO BANKS OF NOTES IN AN AGGREGATE AMOUNT

DECEMBER 28, 1953.

Jersey Central Power & Light Company ("Jersey Central") a public-utility subsidiary of General Public Utilities Corporation, a registered holding com-

pany, having filed an application-declaration and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935 ("act") regarding the proposal of Jersey Central, inter alia, to issue and sell to two banks, pursuant to the terms of a credit agreement between Jersey Central and the said banks, unsecured notes in an amount not to exceed \$7,500,000 outstanding at any one time;

The Commission by order dated April 6, 1953 (Holding Company Act Release No. 11818) having granted and permitted to become effective the said amended application-declaration, subject, however, to a condition, among others, to the effect that Jersey Central shall not issue and sell any notes under the credit agreement if, after such issuance and sale, there would be more than \$3,000,000 of such notes outstanding at any one time, unless and until an amendment to the application-declaration shall have been filed by Jersey Central and a further order shall have been issued, which order may contain such further conditions as may then be deemed appropriate; and that jurisdiction be reserved with respect to the issuance and sale by Jersey Central of any notes under the credit agreement as a result of which the aggregate principal amount of notes outstanding thereunder at any one time would exceed \$3,000,000;

Jersey Central having filed a further amendment to its application-declaration stating that it has borrowed \$3,000,000 under the credit agreement, that it is anticipated that it will be necessary for Jersey Central to borrow an additional \$1,000,000 in the latter part of December 1953 and that it will be necessary for Jersey Central to effect additional borrowings in the early part of 1954 prior to the time of the financings which will supply it with the common stock and bond components of its 1954 financing program;

Jersey Central having, in said amendment, requested that the Commission amend its order of April 6, 1953 so as to remove the condition which limited the amount which Jersey Central may borrow under its credit agreement and have outstanding at any one time;

Jersey Central having estimated that the expenses to be incurred in connection with each closing involving the sale of its additional notes will not exceed \$450 for legal fees and \$500 for miscellaneous out-of-pocket expenses, which, if they do not exceed those amounts, do not appear unreasonable; and

The Commission finding with respect to said application-declaration, as further amended, that the applicable standards of the act and the rules thereunder are satisfied and that it is not necessary to impose any terms and conditions other than those set forth in Rule U-24, and deeming it appropriate that said application-declaration, as further amended, be granted and permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application-declaration, as further amended, be, and the same hereby is, granted and permitted to become

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effective forthwith, subject to the terms and conditions prescribed in Rule U-24, and the jurisdiction reserved in the Commission's order of April 6, 1953 be, and the same hereby is, released,

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 54-3; Filed, Jan. 4, 1954;
8:45 a. m.]

[File No. 70-3032]

PENNSYLVANIA ELECTRIC CO.

SUPPLEMENTAL ORDER AUTHORIZING ISSUANCE AND SALE TO BANKS OF NOTES IN AN AGGREGATE AMOUNT

DECEMBER 23, 1953.

Pennsylvania Electric Company ("Penelec") a public-utility subsidiary of General Public Utilities Corporation, a registered holding company, having filed an application, and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935 ("act"), regarding the proposal of Penelec to issue and sell to three banks, pursuant to the terms of a credit agreement between Penelec and the said banks, unsecured notes in an amount not to exceed \$10,000,000 outstanding at any one time;

The Commission by order dated May 4, 1953 (Holding Company Act Release No. 11889), having granted the said amended application, subject, however, to a condition to the effect that Penelec shall not issue and sell any notes under the credit agreement maturing by their terms subsequent to December 31, 1953, if after such issuance and sale there would be more than \$5,400,000 of notes of such maturity outstanding at any one time, unless and until an amendment to the application shall have been filed by Penelec and a further order shall have been issued, which order may contain such further conditions as may then be deemed appropriate;

Penelec having filed a further amendment to its application stating that it has borrowed \$5,000,000 under the credit agreement, that it appears that additional borrowings under the credit agreement may become necessary in December 1953, and that it will be necessary for Penelec to effect additional borrowings in the early part of 1954 prior to the time of the financings which will supply it with the common stock and bond components of its 1954 financing program;

Penelec having, in said amendment, requested that the Commission amend its order of May 4, 1953 so as to remove the condition which limited the amount which Penelec may borrow under its credit agreement and have outstanding at any one time.

Penelec having estimated that the expenses to be incurred in connection with each closing involving the sale of its additional notes will not exceed \$450 for legal fees and \$500 for miscellaneous out-of-pocket expenses, which if they do not exceed those amounts do not appear unreasonable; and

The Commission finding with respect to said application, as further amended, that the applicable standards of the act and the rules thereunder are satisfied and that it is not necessary to impose any terms and conditions other than those set forth in Rule U-24, and deeming it appropriate that said application, as further amended, be granted forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application, as further amended, be, and the same hereby is, granted forthwith, subject to the terms and conditions prescribed in Rule U-24, and the jurisdiction reserved in the Commission's order of May 4, 1953, be, and the same hereby is, released.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 54-4; Filed, Jan. 4, 1954;
8:45 a. m.]

[File No. 70-3161]

NEW ENGLAND GAS AND ELECTRIC ASSN.
AND ALGONQUIN GAS TRANSMISSION CO.

ORDER GRANTING AND PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE AND RESERVING JURISDICTION

DECEMBER 23, 1953.

New England Gas and Electric Association ("Negas") a registered holding company, and its non-utility subsidiary, Algonquin Gas Transmission Company ("Algonquin") having filed a joint application-declaration and amendments thereto, pursuant to sections 6 (a) (2) 6 (b) 7, 10 and 12 (f) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-23 thereunder, with respect to the following proposed transactions:

Algonquin proposes to incur a bank loan of \$2,000,000 with interest at 4½ percent per annum, to be evidenced by an unsecured note maturing in 16 equal quarterly payments commencing January 1, 1955, and to issue and sell \$5,150,000 principal amount of 25-year unsecured notes, at the principal amount thereof, which notes are to be issuable in denominations of not less than \$500,000, will be dated December 30, 1953, and will bear cumulative interest at the rate of 6 percent per annum for the first five years and at the rate of 5 percent per annum thereafter, payable only if earned in accordance with a formula contained in certain agreements referred to in such notes. The proposed 25-year notes are to be subordinate to the outstanding bonds and to the proposed unsecured bank note to be issued by Algonquin and will be exchangeable for debentures bearing the same terms and conditions. Algonquin also proposes to amend its First Mortgage and Deed of Trust dated as of March 1, 1951, so as to defer the commencement of regular sinking fund payments from July 1, 1954, to July 1, 1955, and to eliminate the provisions for a contingent sinking fund of \$3,000,000.

Negas proposes to acquire \$1,787,050 principal amount of the 25-year notes to be issued by Algonquin and also pro-

poses to borrow \$1,500,000 from banks, to be evidenced by 3¾ percent unsecured notes maturing October 21, 1955.

Due notice having been given of the filing of the joint application-declaration, a hearing not having been requested of or ordered by the Commission, and the Commission having considered the record and having filed its memorandum opinion this day with respect to this matter:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that the joint application-declaration, as amended, be and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction be, and hereby is, reserved with respect to all fees and expenses incurred or to be incurred in connection with the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-8; Filed, Jan. 4, 1954;
8:46 a. m.]

[File No. 70-3168]

SOUTHERN CO. ET AL.

NOTICE OF FILING REGARDING ISSUANCE AND SALE BY HOLDING COMPANY OF PROMISSORY NOTES AND ISSUANCE AND SALE OF COMMON STOCK BY SUBSIDIARIES TO PARENT COMPANY

DECEMBER 29, 1953.

In the matter of The Southern Company, Alabama Power Company, Georgia Power Company; File No. 70-3168.

Notice is hereby given that a joint application-declaration has been filed with this Commission by The Southern Company ("Southern"), a registered holding company, and two of its public-utility subsidiary companies, Alabama Power Company ("Alabama") and Georgia Power Company ("Georgia") pursuant to the Public Utility Holding Company

Act of 1935 (the "act") Applicants-declarants have designated sections 6 (b) 7, 10 and 12 (f) of the act and Rule U-43 thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than January 14, 1954 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said joint application-declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission 425 Second Street NW., Washington 25, D. C. At any time after said date, said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said joint application-declaration which is on file in the office of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Southern proposes to issue to forty-nine banks unsecured promissory notes in an aggregate principal amount of \$15,000,000. Each of said notes will mature February 1, 1956, and will bear interest at the rate of 3½ percent per annum. The agreement under which it is proposed to issue such notes provides for the renewal thereof extending the maturity date to February 1, 1959. The proposed notes may be prepared in whole at any time or in part from time to time without penalty or premium. The proceeds to be derived from the sale of the proposed notes, together with treasury funds, will be used by Southern to purchase the common stocks of Alabama and Georgia as described below.

Alabama and Georgia propose to issue and sell to Southern 80,000 and 100,000 shares, respectively, of their no par

common stocks for an aggregate consideration of \$8,000,000 in the case of Alabama and of \$10,000,000 in the case of Georgia. The proceeds from the sale of such stock will be used by these companies to finance improvements, extensions and additions to their respective utility plants.

The joint application-declaration indicates that Southern requests authority to renew the proposed notes on February 1, 1956, and states that should the Commission prefer to withhold action at this time with respect to the renewal of such notes, Southern requests the Commission to reserve jurisdiction with respect thereto. The application-declaration further states that it is contemplated that the proposed notes will be paid at or before their maturity, or their extended maturity, through the issuance and sale by Southern of such securities as may be appropriate and approved by the Commission. Southern agrees that such securities will meet the requirements of section 7 (c) (1) of the act or that it will demonstrate that such securities are for necessary and urgent corporate purposes and that the requirements of section 7 (c) (1) would impose an unreasonable financial burden upon Southern and are not necessary or appropriate in the public interest or for the protection of investors or consumers.

The joint application-declaration further states that the proposed common stock sale by Alabama and Georgia are subject to the jurisdiction of the Alabama Public Service Commission and the Georgia Public Service Commission, respectively and that no other State commission, and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Fees and expenses are estimated at \$10,500 for Southern, \$3,700 for Alabama and \$3,900 for Georgia including legal fees of \$6,500 in the case of Southern and \$500 each for Alabama and Georgia.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

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